

FACSIMILE *BROWN MARTIN HALLER & McCLAIN*TO FAX NO.: 1-703308-4242ATTENTION: Examiner Peter Paras Jr.
Group Art Unit 1632Attorneys at Law
Patents, Trademarks,
Copyrights, FranchisingFROM: Colleen J. McKiernan, Reg. No. 48,570
Number of pages: 8
(including this cover page)1660 Union Street
San Diego, California 92101Date of transmission: September 12, 2003Telephone: (619) 238-0999
Facsimile: (619) 238-0062Attorney's Docket No.: 6627-PA0123**- IMPORTANT CONFIDENTIALITY INFORMATION -**

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Re: Application Ser. No. 09/954,571, filed September 11, 2001, for "HIGH EFFICIENCY CARDIAC GENE TRANSFER", Inventors: Kenneth R. Chien et al.

Facsimile transmittal of:


- a) Response to Election Requirement [7 pages]
- b) This Facsimile Transmittal Sheet [1 page]

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)
Kenneth R. CHIEN et al.) FOR: HIGH EFFICIENCY CARDIAC
Serial No.: 09/954,571) GENE TRANSFER
Filed: September 11, 2001) Group
Art Unit: 1632

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RESPONSE TO ELECTION REQUIREMENT

Commissioner for Patents
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Attention: Examiner Peter Paras Jr.

Dear Examiner Paras:

This is in response to the Office Action dated August 13, 2003. Claims 1-40 are pending in the case. The Examiner has issued a restriction requirement indicating that election must be made of either the invention of Group I (Claims 23-27), the invention of Group II (Claims 28-30), or the invention of Group III (Claims 32-40). No restriction was made of claims 1-22 and 31. The Applicants elect claims 1-22 and 31.

I hereby certify that this correspondence is being served via facsimile -
(703) 308 4242 - addressed to: Commissioner for Patents, P. O. Box
1450, Alexandria, VA 22313-1450 on:

September 12, 2003

(Mailing Date)

Kargn L. Johnson

(Registered Representative)

(Signature)

September 12, 2003

(Date of Signature)

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